

AMENDED IN ASSEMBLY MARCH 6, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1451

Introduced by Assembly Member Holden
(Principal coauthor: Assembly Member Hagman)
(Principal coauthor: Senator Vidak)

January 8, 2014

An act to amend ~~Section 48800~~ *Sections 48800 and 76001* of, and to add ~~Section 48803~~ *Sections 48803 and 76004* to, the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1451, as amended, Holden. ~~Concurrent~~—*Public schools: concurrent* enrollment in secondary school and community college.

Existing law authorizes the governing board of a school district to allow pupils whom the district has determined would benefit from advanced scholastic or vocational work to attend community college as special part-time or full-time students, subject to parental permission. Existing law makes the authority of a school principal to recommend a pupil for community college summer session contingent upon a determination that the pupil meets various criteria and prohibits the principal from recommending more than 5% of the total number of pupils from any particular grade level who completed that grade immediately prior to the time of recommendation for summer session attendance, except as specified.

~~This bill would authorize the governing board of a school district to authorize a pupil, upon the recommendation from a community college dean of a career technical education department or other appropriate community college career technical education administrator, and with~~

parental consent, to attend a community college during any session or term as a special part-time or full-time student and to undertake one or more courses of career technical education offered at the community college.

This bill also would authorize the governing board of a community college school district to enter into a ~~formal concurrent enrollment partnership agreement~~ with a ~~school district or school districts~~ community college district located within its immediate service area to allow ~~secondary school pupils to attend a community college if those pupils have exhausted all opportunities to enroll in an equivalent course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other programs offered by the governing board of the school district, and if those pupils may benefit from advanced scholastic, career-technical, or vocational courses, courses in basic skills remediation, preparation for the high school exit examination, or English as a 2nd language, and courses designed to prevent pupils from dropping out of high school.~~

~~The pupils to attend community college. The bill would require the partnership agreement to outline the terms of the partnership, as specified. The bill would require a community college district and a school district, as a condition of, and before adopting, a concurrent enrollment partnership agreement, to take testimony from the public and approve or disapprove the proposed partnership agreement at a regularly scheduled open public hearing of their respective governing boards. The bill would require, for each partnership entered into under the bill, the affected community college district and school district to file an annual report, containing specified data, with the Office of the Chancellor of the California Community Colleges. The bill would require the concurrent enrollment partnership agreement to outline the terms of the partnership, as specified. The bill would prohibit a community college school district from receiving a state allowance or apportionment for an instructional activity for which a school community college district has been, or will be, paid an allowance or apportionment. The bill would authorize a participating high school to monitor the progress of its pupils attending a community college and to obtain the pupils' records from a community college district to do so. The bill would require, for each concurrent enrollment partnership agreement entered into under the bill, the affected community college district and school district to file an annual report, containing specified data, with the Office of the Chancellor of the California Community Colleges.~~

The bill would also authorize the governing board of a community college district to enter into a partnership with the governing board of a school district located within its service area with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. The bill would require the partnership agreement to outline the terms of the partnership, as specified, and would require copies of the partnership agreement to be filed with the Chancellor of the California Community Colleges and the Superintendent of Public Instruction. The bill would require, for each partnership agreement entered into under the bill, the affected community college district and school district to file an annual report, containing specified data, with the Office of the Chancellor of the California Community Colleges.

The bill would also make related and conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Campuses of the California Community Colleges are located
- 4 throughout California and provide an educational resource for all
- 5 communities.
- 6 (b) Existing law allows certain high school pupils to take classes
- 7 at community colleges. These pupils are ~~known~~ *defined in statute*
- 8 as special-admits and the programs in which they participate are
- 9 known as concurrent *or dual* enrollment programs. The main target
- 10 of these programs is advanced education and the work completed
- 11 in them is primarily defined as college-level work.
- 12 (c) Existing law imposes strict limits on concurrent enrollment
- 13 programs. ~~Only~~ *No more than 5* percent of the pupils in any
- 14 *particular* high school ~~class~~ *grade level* may enroll in a community
- 15 college during summer sessions. In addition, the types of classes
- 16 pupils may take pursuant to these programs are generally limited
- 17 to advanced education classes.
- 18 ~~(d) A serious abuse of concurrent enrollment programs by a few~~
- 19 ~~school districts and community college districts several years ago~~

1 ~~resulted in statutory reform and restrictions on this type of~~
2 ~~enrollment.~~

3 *(d) Existing law includes statutory reforms and restrictions to*
4 *prevent abuses regarding this type of enrollment.*

5 *(e) The current restrictions on concurrent enrollment inhibit the*
6 *ability of school districts and their pupils to make maximum use*
7 *of community college facilities and opportunities. The time has*
8 *come to encourage and expand these valuable programs, but with*
9 *appropriate statutory prohibitions to guard against a repeat of the*
10 *abuses of the past. By reducing some of the restrictions on*
11 *concurrent enrollment it will be possible to expand concurrent*
12 *enrollment opportunities for pupils, including pupils working to*
13 *improve their college readiness and career technical skills.*

14 *(f) Allowing a greater and more varied segment of high school*
15 *pupils to take community college courses could provide benefits*
16 *to pupils and to the state in numerous ways, including more*
17 *opportunities for advanced scholastic work, career-technical*
18 *partnerships and coursework, basic skills remediation, preparation*
19 *for the high school exit examination, English as a second language,*
20 *and dropout prevention such as reducing high school dropouts,*
21 *increasing the number of community college students who transfer*
22 *and complete a degree, shortening time to completion of*
23 *educational goals, and improving the level of preparation of pupils*
24 *in the area of career-technical education.*

25 *(g) Exposure to college classes and the college environment*
26 *experience while in high school improves college participation*
27 *rates.*

28 *(h) Concurrent enrollment saves money for both the state and*
29 *the pupils and provides for more effective use of facilities.*

30 SEC. 2. Section 48800 of the Education Code is amended to
31 read:

32 48800. (a) The governing board of a school district may
33 determine which pupils would benefit from ~~advanced scholastic~~
34 ~~or vocational work~~ *concurrent enrollment in a community college,*
35 *subject to approval of admission by the community college district*
36 *in accordance with applicable statutes and regulations of the*
37 *Board of Governors of the California Community Colleges. The*
38 *intent of this section is to provide educational enrichment*
39 *opportunities for a limited number of eligible pupils, rather than*
40 *to reduce current course requirements of elementary and secondary*

1 schools, and also to help ensure a smoother transition from high
2 school to college for pupils by providing them with greater
3 exposure to the collegiate-atmosphere *experience*. The governing
4 board of a school district may authorize those pupils, upon
5 recommendation of the principal of the pupil's school of
6 attendance, *or his or her designee, or pursuant to a concurrent*
7 *enrollment partnership agreement in accordance with Section*
8 *48803*, and with parental consent, to attend a community college
9 during any session or term as special part-time or full-time students
10 and to undertake one or more courses of instruction offered at the
11 community college level.

12 (b) If the governing board of a school district denies a request
13 for a special part-time or full-time enrollment at a community
14 college for any session or term for a pupil who is identified as
15 highly gifted, the governing board of the school district shall issue
16 its written recommendation and the reasons for the denial within
17 60 days. The written recommendation and denial shall be issued
18 at the next regularly scheduled board meeting that falls at least 30
19 days after the request has been submitted.

20 ~~(c) The governing board of a school district may authorize a~~
21 ~~pupil, upon the recommendation from a community college dean~~
22 ~~of a career technical education department or other appropriate~~
23 ~~community college career technical education administrator, and~~
24 ~~with parental consent, to attend a community college during any~~
25 ~~session or term as a special part-time or full-time student and to~~
26 ~~undertake one or more courses of career technical education offered~~
27 ~~at the community college.~~

28 ~~(d)~~

29 (c) A pupil ~~shall~~ *may* receive community college and high school
30 credit for community college courses that he or she completes ~~at~~
31 ~~the level as~~ determined appropriate by the governing boards of the
32 school district and community college district.

33 ~~(e)~~

34 (d) (1) The principal of a school may recommend a pupil for
35 community college summer session only if that pupil meets both
36 of the following criteria:

37 (A) Demonstrates adequate preparation in the discipline to be
38 studied.

39 (B) Exhausts all opportunities to enroll in an equivalent course,
40 if any, at his or her school of attendance.

(2) For any particular grade level, a principal shall not recommend for community college summer session attendance more than 5 percent of the total number of pupils who completed that grade immediately before the time of recommendation.

(3) A high school pupil recommended by his or her principal for enrollment in a course shall not be included in the 5-percent limitation of pupils allowed to be recommended pursuant to paragraph (2) if the course in which the pupil is enrolled meets one of the criterion listed in subparagraphs (A) to ~~(C)~~ (D), inclusive, and the high school principal who recommends the pupil for enrollment provides the Chancellor of the California Community Colleges, upon the request of that office, with the data required for purposes of paragraph (4).

(A) The course is a lower division, college-level course for credit that is designated as part of the Intersegmental General Education Transfer Curriculum or applies toward the general education breadth requirements of the California State University.

(B) The course is a college-level, occupational course for credit assigned a priority code of “A,” “B,” or “C,” pursuant to the Student Accountability Model, as defined by the Chancellor of the California Community Colleges and reported in the management information system, and the course is part of a sequence of vocational or career technical education courses leading to a degree or certificate in the subject area covered by the sequence.

(C) The course is necessary to assist a pupil who has not passed the California High School Exit Examination (CAHSEE), does not offer college credit in English language arts or mathematics, and the pupil meets both of the following requirements:

(i) The pupil is in his or her senior year of high school.

(ii) The pupil has completed all other graduation requirements before the end of his or her senior year, or will complete all remaining graduation requirements during a community college summer session, which he or she is recommended to enroll in, following his or her senior year of high school.

(D) *The course is necessary to assist to address the deficiencies in English language arts or mathematics of a pupil who has not demonstrated college-readiness on an Early Assessment Program assessment or a successor common core-aligned assessment.*

(4) On or before March 1 of each year, the Chancellor of the California Community Colleges shall report to the Department of

1 Finance the number of pupils recommended pursuant to paragraph
2 (3) who enroll in community college summer session courses and
3 who receive a passing grade. The information in this report may
4 be submitted with the report required by subdivision (c) of Section
5 76002.

6 ~~(5) The Board of Governors of the California Community~~
7 ~~Colleges shall not include enrollment growth attributable to~~
8 ~~paragraph (3) as part of its annual budget request for the California~~
9 ~~Community Colleges.~~

10 (6)
11 (5) Notwithstanding Article 3 (commencing with Section 33050)
12 of Chapter 1 of Part 20 of Division 2 of Title 2, compliance with
13 this subdivision shall not be waived.

14 (f)
15 ~~(e) Paragraphs (3), (4), and (5) (3) and (4) of subdivision (e)~~
16 ~~(d) shall become inoperative on January 1, 2017.~~

17 SEC. 3. Section 48803 is added to the Education Code, to read:

18 48803. (a) (1) ~~The governing board of a community college~~
19 ~~district may enter into a formal partnership with a school district~~
20 ~~or school districts may enter into a concurrent enrollment~~
21 ~~partnership agreement with the governing board of a community~~
22 ~~college district located within its immediate service area in order~~
23 ~~to provide secondary school pupils who have exhausted all~~
24 ~~opportunities to enroll in an equivalent course at the high school~~
25 ~~of attendance, adult education program, continuation school,~~
26 ~~regional occupational center or program, or any other programs~~
27 ~~offered by the governing board of the school district with the~~
28 ~~opportunity to benefit from advanced scholastic, career-technical,~~
29 ~~or vocational courses, courses in basic skills remediation,~~
30 ~~preparation for the high school exit examination, or English as a~~
31 ~~second language, and courses designed to prevent pupils from~~
32 ~~dropping out of high school. A secondary school pupil in a district~~
33 ~~subject to a formal partnership, upon notification of the principal~~
34 ~~of the pupil's school of attendance that the pupil has exhausted all~~
35 ~~opportunities to enroll in an equivalent course at the high school~~
36 ~~of attendance, adult education program, continuation school,~~
37 ~~regional occupational center or program, or any other program~~
38 ~~offered by the governing board of the school district, and with~~
39 ~~parental consent if the pupil is under 18 years of age, may attend~~
40 ~~a community college during any session or term as a special~~

~~part-time or full-time student area, with the goal of developing a seamless pathway from high school to community college for career-technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.~~

(2) A participating ~~community college school district shall~~ *may* adopt a *concurrent enrollment* partnership agreement with ~~each school a community college district partner. The partnership agreement shall be partner that is approved by the governing board of the community college district and the governing board of the school district boards of both districts.~~ As a condition of, and before adopting, a *concurrent enrollment* partnership agreement, a community college district and a school district, at a regularly scheduled open public hearing of their respective governing boards, shall take testimony from the public and approve or disapprove the proposed *concurrent enrollment* partnership agreement.

(3) (A) The *concurrent enrollment* partnership agreement shall outline the terms of the partnership and may include, but not necessarily be limited to, the scope, nature, and schedule of courses offered, ~~the academic readiness of pupils that is necessary for them to benefit from the courses offered, and~~ *and the criteria to assess the ability of pupils to benefit from those courses.* The *concurrent enrollment* partnership agreement may establish protocols for information sharing ~~and, joint facilities use, and parental consent for pupils.~~

(B) The *concurrent enrollment* partnership agreement shall identify a point of contact for the participating *school district and community college district* ~~and each school district partner, and require each participating community college and high school to identify a point of contact at that community college and high school, respectively.~~

(C) ~~A copy~~ *Copies* of the *concurrent enrollment* partnership agreement shall be filed with the ~~department and with the Office of the Superintendent and the~~ Chancellor of the California Community Colleges before the start of a program authorized by this article.

(4) ~~It is the intent of the Legislature, in enacting this section, to provide a smoother transition from high school to college for pupils by providing them with greater exposure to the collegiate atmosphere and to maximize the educational opportunities available~~

1 to California's secondary school pupils by encouraging programs
2 and partnerships between school districts and community college
3 districts, including advanced scholastic, vocational, and
4 career-technical coursework, summer school opportunities, and
5 dropout intervention.

6 (5)

7 (4) A community college district shall not provide physical
8 education course opportunities to secondary school pupils pursuant
9 to this section.

10 (6)

11 (5) A pupil ~~shall~~ *may* receive community college and high school
12 credit for community college courses that he or she ~~completes at~~
13 ~~the level~~ *completes, as* determined to be appropriate by the
14 governing boards of the school district and the community college
15 district ~~pursuant to the partnership agreement as described in~~
16 ~~paragraph (2).~~

17 (b) (1) ~~A community college~~ *A participating school* district
18 shall not receive a state allowance or apportionment for an
19 instructional activity for which a ~~school~~ *community college* district
20 has been, or shall be, paid an allowance or apportionment.

21 (2) ~~The attendance of a pupil at a community college as a special~~
22 ~~part-time or full-time student pursuant to this section is authorized~~
23 ~~attendance for which the community college shall be credited or~~
24 ~~reimbursed pursuant to Section 48802 or 76002, provided that no~~
25 ~~school district has received reimbursement for the same~~
26 ~~instructional activity. Credit for courses completed shall be at the~~
27 ~~level determined to be appropriate by the governing boards of the~~
28 ~~school district and the community college district pursuant to the~~
29 ~~partnership agreement as described in paragraph (2) of subdivision~~
30 ~~(a).~~

31 (c) A participating high school may monitor the progress of its
32 pupils attending a community college under this section, and may
33 obtain the pupils' records from the community college district to
34 do so.

35 (d) ~~For purposes of this section, a special part-time student may~~
36 ~~enroll in up to, and including, 11 units per semester, or the~~
37 ~~equivalent thereof, at the community college he or she attends.~~

38 (e) ~~Community college districts and school districts that enter~~
39 ~~into a partnership pursuant to this section shall be exempt from~~
40 ~~concurrent enrollment provisions pursuant to subdivisions (a) and~~

~~(b) of, and paragraphs (1), (2), and (3) of subdivision (c) of, Section 48800, if the governing board of the community college district determines that enrollment of secondary school pupils will not significantly displace regularly admitted students.~~

~~(f)~~

~~(d) (1) For each partnership concurrent enrollment partnership agreement entered into pursuant to this section, the affected community college district and school district shall report annually to the Office of the Chancellor of the California Community Colleges all of the following information:~~

~~(A) The total number of secondary school pupils enrolled in each program, classified by the school district.~~

~~(B) The total number of successful course completions of secondary school pupils enrolled in each program, classified by the school district.~~

~~(C) The total number of successful course completions of students in courses equivalent to those courses tracked under subparagraph (B) in the general community college curriculum.~~

~~(2) The annual report required by this subdivision shall also be transmitted to all of the following:~~

~~(A) The Legislature, in compliance with Section 9795 of the Government Code.~~

~~(B) The Director of Finance.~~

~~(C) The Superintendent.~~

~~(D) The governing board of each participating community college district.~~

~~(E) The governing board of each participating school district.~~

SEC. 4. Section 76001 of the Education Code is amended to read:

76001. (a) The governing board of a community college district may admit to any community college under its jurisdiction as a special part-time or full-time student in any session or term any student who is eligible to attend community college pursuant to Section 48800 or 48800.5.

(b) If the governing board denies a request for a special part-time or full-time enrollment at a community college for a pupil who is identified as highly gifted, the board shall record its findings and the reasons for denial of the request in writing within 60 days. The written recommendation and denial shall be issued at the next

1 regularly scheduled board meeting that falls at least 30 days after
2 the request has been submitted.

3 (c) The attendance of a pupil at a community college as a special
4 part-time or full-time student pursuant to this section is authorized
5 attendance, for which the community college shall be credited or
6 reimbursed pursuant to Sections 48802 and 76002. Credit for
7 courses completed shall be at the level determined to be appropriate
8 by the school district and community college district governing
9 boards.

10 (d) For purposes of this section, a special part-time student may
11 enroll in up to, and including, 11 units per semester, or the
12 equivalent thereof, at the community college.

13 (e) (1) Except as provided in paragraph (2), the governing board
14 of a community college district shall assign a low enrollment
15 priority to special part-time or full-time students described in
16 subdivision (a) in order to ensure that these students do not displace
17 regularly admitted students.

18 (2) This subdivision does not apply to a student attending a
19 middle college high school as described in Section 11300, *an early*
20 *college high school as described in Section 11302, or pursuant to*
21 *a concurrent enrollment partnership agreement as described in*
22 *Section 48803, if the student is seeking to enroll in a community*
23 *college course that is required for the student's middle college*
24 *high school, early college high school, or concurrent enrollment*
25 *partnership program.*

26 *SEC. 5. Section 76004 is added to the Education Code, to read:*

27 *76004. (a) (1) The governing board of a community college*
28 *district may enter into a partnership with the governing board of*
29 *a school district located within its service area with the goal of*
30 *developing seamless pathways from high school to community*
31 *college for career technical education or preparation for transfer,*
32 *improving high school graduation rates, or helping high school*
33 *pupils achieve college and career readiness.*

34 *(2) A participating community college district may adopt a*
35 *partnership agreement with a school district partner that is*
36 *approved by the governing boards of both districts. As a condition*
37 *of, and before adopting, a partnership agreement, a community*
38 *college district and a school district, at a regularly scheduled open*
39 *public hearing of their respective governing boards, shall take*

1 *testimony from the public and approve or disapprove the proposed*
2 *partnership agreement.*

3 *(3) (A) The partnership agreement shall outline the terms of*
4 *the partnership and may include, but not necessarily be limited*
5 *to, the scope, nature, and schedule of courses offered, and criteria*
6 *to assess the ability of students to benefit from those courses. The*
7 *partnership agreement may establish protocols for information*
8 *sharing, joint facilities use, and parental consent for pupils who*
9 *are under 18 years of age.*

10 *(B) The partnership agreement shall identify a point of contact*
11 *for the participating community college district and school district*
12 *partner.*

13 *(C) A copy of the partnership agreement shall be filed with the*
14 *chancellor and the Superintendent before the start of a program*
15 *authorized by this article.*

16 *(4) A community college district shall not provide physical*
17 *education course opportunities to secondary school pupils pursuant*
18 *to this section.*

19 *(5) A student may receive community college and high school*
20 *credit for community college courses that he or she completes as*
21 *determined to be appropriate by the governing boards of the*
22 *community college district and the school district.*

23 *(b) (1) A community college district shall not receive a state*
24 *allowance or apportionment for an instructional activity for which*
25 *a school district has been, or shall be, paid an allowance or*
26 *apportionment.*

27 *(2) The attendance of a pupil at a community college as a special*
28 *part-time or full-time student pursuant to this section is authorized*
29 *attendance for which the community college shall be credited or*
30 *reimbursed pursuant to Section 48802 or 76002, provided that no*
31 *school district has received reimbursement for the same*
32 *instructional activity.*

33 *(c) (1) For each partnership entered into pursuant to this*
34 *section, the affected community college district and school district*
35 *shall report annually to the chancellor all of the following*
36 *information:*

37 *(A) The total number of secondary school pupils enrolled in*
38 *each partnership.*

39 *(B) The total number of community college courses enrolled in*
40 *by partnership participants.*

- 1 (C) *The total number and percentage of successful course*
- 2 *completions of partnership participants.*
- 3 (2) *The annual report required by this subdivision shall also*
- 4 *be transmitted to all of the following:*
- 5 (A) *The Legislature, in compliance with Section 9795 of the*
- 6 *Government Code.*
- 7 (B) *The Director of Finance.*
- 8 (C) *The Superintendent.*

O